

# QUID NOVI

Journal des étudiant-e-s  
en droit de l'université McGill

McGill Law's  
Weekly Student Newspaper

Volume 34, n°12  
5 février 2013 | February 5, 2013

(FACTUM)

# QUID NOVI

QUID NOVI  
3661 Peel Street  
Montréal, Québec H2A 1X1

<http://quid.mcgill.ca/>

EDITORS IN CHIEF  
Jérémy Boulanger-Bonnelly  
Aaron Fergie

LAYOUT EDITORS  
Xiaocai Fu  
Kai Shan He  
Gabriel Rochette

ASSOCIATE REVIEWERS  
Katherine Abarca  
Eliza Cohen  
Kai Shan He  
Charlotte-Anne Malischewski  
Audrey Mayrand  
Lana McCrea  
Angèle Périllat-Amédée  
Dan Snyder  
Anne-Sophie Villeneuve  
Susanne Wladysiuk

STAFF WRITERS  
Ludovic Bourdages  
David Groves  
Michael Shortt  
Warwick Walton  
Derek Zeisman

Journal des étudiant-e-s  
en droit de l'université McGill

McGill Law's Weekly Student Newspaper

Volume 34, n°12

5 février 2013 | February 5, 2013

## WHAT'S INSIDE? QUEL EST LE CONTENU?

ÉDITO	3
RESONSE TO RESPONSE: "ONE L"	4
SWERVINGS OF THE HEART	6
MAKE THE MOST OUT OF YOUR CDO	9
MLJ MESSAGE	10
GRADUATION INFORMATION	10
BLACK HISTORY MONTH	12
OVERHEARD AT THE FAC	12
VALENTINE'S DAY ISSUE !	14

## WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant  
jeudi 17h à l'adresse : [quid.law@mcgill.ca](mailto:quid.law@mcgill.ca)

Toute contribution doit indiquer le nom de  
l'auteur, son année d'étude ainsi qu'un titre  
pour l'article. L'article ne sera publié qu'à la  
discretion du comité de rédaction, qui

basera sa décision sur la politique de  
rédaction.

Contributions should preferably be submitted as  
a .doc attachment (and not, for instance, a  
".docx".)

JÉRÉMY  
BOULANGER-  
BONNELLY

# LIBERTÉ, ÉGALITÉ, FRATERNITÉ

La devise de nos cousins français a bien failli perdre des plumes dernièrement, alors que la loi visant notamment à redéfinir le mariage pour y inclure les personnes de même sexe y a suscité des débats passionnés. S'inscrivant en faux avec leurs traditionnels idéaux de liberté, d'égalité et de fraternité, près de 800 000 personnes ont même manifesté dans les rues de Paris il y a quelques semaines à peine.

Heureusement, le gouvernement a tenu tête à cette frange de la population et a présenté la fameuse loi à l'Assemblée nationale cette fin de semaine. C'est d'ailleurs le 2 février que fut adopté le texte en première lecture, après quoi les députés ont débattu des heures durant des centaines d'amendements proposés... dont de nombreux visaient à abroger l'article premier, le cœur de la loi!

Outre les bénéfices pratiques que cette loi apportera, elle est aussi un symbole fort d'une certaine évolution de la gouvernance française. Elle est une des premières marques majeures que le gouvernement socialiste de Hollande compte laisser sur son passage, et certainement pas la dernière. En ce sens, il est permis d'espérer qu'un certain progressisme se taillera une place plus grande dans une France généralement plus conservatrice.

However, this fortunate change in mentalities is precarious. The political strength of Hollande's government is lower than before its election and the French people would probably vote otherwise if they were to cast their ballot now. I doubt that a future, more conservative government would want to open this debate again after it is settled in a few weeks. Hopefully, the advantages gained with this law will not be temporary. Unfortunately, I doubt that this step will become a "Great Leap Forward".

During this debate, the most astonishing comments were not made by politicians, but rather by the people representing the anti-gay-marriage movement, and those protesting against the law. The impressive number of videos available on YouTube constitute an ever-growing

repertoire of misconceptions, homophobic statements and completely insane comments. Sometimes, I even wonder if these people are serious when they speak.

Le site [jenesuispashomophobemais.tumblr.com](http://jenesuispashomophobemais.tumblr.com) représente bien l'aspect le plus aberrant de ces commentaires : loin d'être haineux dans la plupart des cas, ils sont plutôt le fruit d'une incompréhension totale de ce qu'est l'orientation sexuelle.

Par ailleurs, on peut se demander si l'homosexualité, qui présuppose l'existence d'une catégorie de référence hétérosexuelle, existe vraiment. Cette binarité, même nuancée par d'autres catégories telles que la bisexualité, reflète-t-elle bien la réalité ? Peut-on vraiment placer l'orientation sexuelle des gens dans de petites boîtes ? Ces questionnements sont des lieux communs dans le milieu académique du droit, à tout le moins pour ceux qui sont familiers avec le concept queer. Mais ils sont loin de l'être pour la population en général.

En somme, il faut se réjouir de l'adoption de la loi française, pour les bénéfices pratiques qu'elle conférera désormais à une frange de la population qui verra ainsi ses droits être respectés. Il faut aussi se réjouir du message symbolique que cette loi envoie, du chemin progressiste qu'elle commence à tracer pour la France.

Cependant, il faut également saisir cette occasion pour prendre conscience de la lourde incompréhension qui freine le débat à chaque fois qu'il ressurgit, et faire face au défi pédagogique qui nous attend.

C'est également l'opportunité de se rappeler que les progrès sont encore trop durs à obtenir et qu'ailleurs dans le monde la situation est encore pire. L'Ouganda, par exemple, adoptera peut-être bientôt le "Kill the Gays Bill". Alors la loi française, loin de nous permettre de nous asseoir sur nos lauriers, devrait plutôt servir d'invitation à retrousser nos manches et à continuer le combat.

KEIRAN  
GIBBS

## RESPONSE TO RESPONSE: "ONE L"

Thank you to my colleagues Jonathan Brosseau and Michael Shortt for bringing up an important and interesting discussion about the "Brutalizing" effect of the McGill Law experience.

With all due respect to Mr. Shortt, I think that he unduly concentrates on the form rather than the content of Mr. Brosseau's argument. I agree with his assertion that McGill does not, at least strictly speaking, adhere to a Socratic/Langdell pedagogical method. However, he is mistaken to assume that the "brutalization argument turns on the fulcrum of the Socratic method," just as his point in respect of "purposive brutalization" is also misguided.

The "Socratic method," I believe, should not be limited to the way that it was, or is, practiced at Harvard. Rather, it has two important facets; the first is that it is a dialectical activity (rather than a dictatorial one) that teaches the case method. Secondly, it rests on a fundamental principle of "I know that I know nothing."

Many law classes at McGill do indeed practice the case method, albeit without imposing penalties for lack of engagement. I am under the impression that most of the faculty do not use this method because of a principle of self ignorance (nor do most students engage with it based on a belief of our own ignorance - despite our own ignorance). Thus, McGill could be said to be Quasi-Socratic. Does that mean that we can say that the student experience is likewise Quasi-Brutal?

I could be wrong, but I do not think that Mr. Brosseau meant to say that it is the case method or the Socratic approach that is in itself brutalizing. Now in my fourth year of law school, I must admit that Mr. Brosseau is not the only first year (or second or third in fact) whom I have heard complain about the brutal effect of studying law. We can either discount these recurring feelings because McGill Law doesn't adhere to the same Socratic/Langdell method that Harvard does, or we can inquire further into the institutional question.

In my opinion Mr. Shortt's "purposive brutalization" trivializes the real nuances that occur in socialization. He states that McGill law cannot be 'a single shape' because of the many dissenting academics. However, he fails to recognize that, while individual academics may dissent, they are undeniably limited to a strict normative order. Has he seen, at any of the faculty meetings, a dissent performed in song?; a piece of art brought in as a way of responding to a regulation?; has someone broken out in dance to express his or her distress? I highly doubt it. That is because, in this institutional setting, to some degree we are all melted into a single shape.

Of course, we retain many of our own individual edges and curves, the result being intellectual freedom and disagreement, not to mention the ability to make real changes to the status quo, within the perimeters given. Is that so bad?

For those whose [metaphorical] shapes were very different before coming to the law faculty, I think that this shape-shifting period can be, and often is, viewed as brutalizing. Mr. Brosseau is certainly not alone in feeling this way, thus I commend him for speaking up. Mr. Shortt's arguments against why he should not feel this way do not hold up; we do practice the case method and purposive brutalization is institutional, not individual.

I would like to add, before concluding, that other students don't find anything brutal about McGill law at all. It is objectively a high-quality educational institution and there is indeed a great deal of room for intellectual freedom. Personally, I don't think that either of those things should be taken for granted. I do believe that Mr. Brosseau and others will eventually find that while they are in McGill they are part of a particular shape, but that does not mean that they will not be able to be part of the many other shapes that exist "out there." Furthermore, while here, they should not be afraid to show their edges and curves (again, metaphorically speaking).

# HEALTH AND LAW WORKSHOP

McGill Research Group on Health and Law

## LISTENING FOR LAWYERS

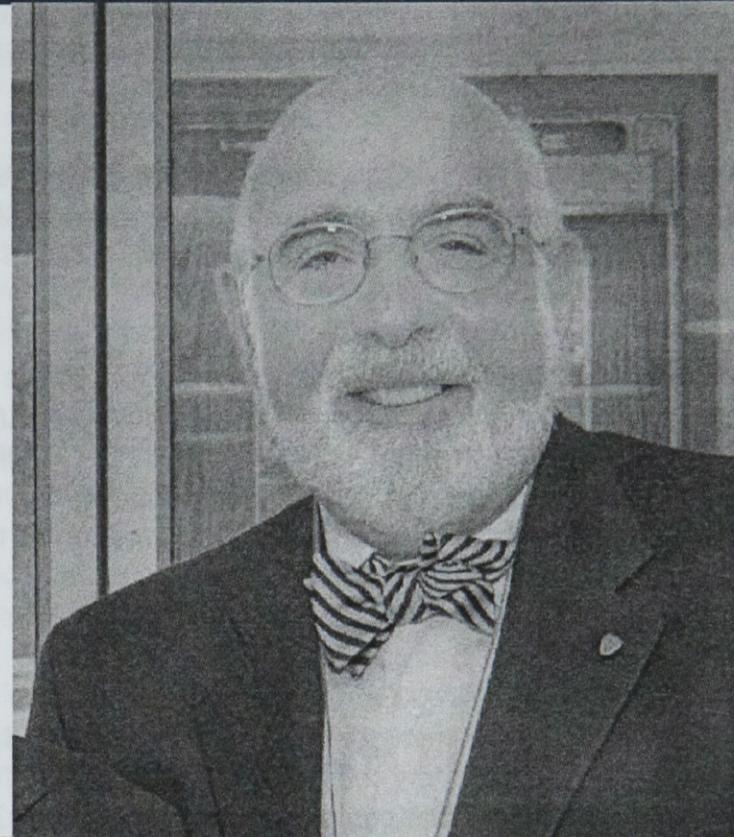
Dr. Abraham Fuks

Professor, Faculty of Medicine  
Dean of Medicine 1995-2006  
McGill University

Wednesday, February 13, 2013  
12:30-2:00pm

Room 316 New Chancellor Day Hall  
3644 rue Peel

Space is limited:  
Kindly RSVP to [rghl.law@mcgill.ca](mailto:rghl.law@mcgill.ca)  
*Lunch will be served*



### Abstract

The enormous power of listening, language, and cultivation of the physician-patient relationship in healing has strong parallels to an attorney's relationship with the client.

This workshop will analyze the critical role that active listening plays in overcoming obstacles and building trust within the client-advocate relationship. We will explore the societal, professional and personal barriers to skillful listening and examine the vital role

that listening plays in effective client centered advocacy. Finally, we will review the different forms of listening and discuss the value that listening can bring to an advocacy that is based on trust, hope, and respect, permitting the counselor to understand and effectively tell the client's unique story.



McGILL RESEARCH GROUP ON  
HEALTH AND LAW

[www.mcgill.ca/healthlaw/](http://www.mcgill.ca/healthlaw/)



McGill

# SWERVINGS OF THE HEART

When my wife Mary and I got married in 1961, the future looked golden. She gave up a promising career as a fashion illustrator to raise a family. I pursued a law career that culminated in my appointment to the bench in 1983. Our children were happy, healthy and bright. We enjoyed many of the "good things" in life. In 1985 family and friends gathered at the local church to help us celebrate the renewal of our marriage vows. We considered ourselves lucky.

On April 8, 1990, a sunny Palm Sunday afternoon, everything changed. That was the day the police came to our door and dropped their bomb. My wife of 28 years had jumped to her death at Niagara Falls.

Several witnesses observed her climb the parapet of the observation platform, camera in her right hand, drop her shoulder purse to the ground and leap into the Niagara river holding her nose (she always pinched her nose before plunging into water). She floated on her back, eyes open, blank expression on her face - no struggle or cries, till the strong current swept her over the rim of the Falls eleven stories down into the icy gorge below. Her body has never been found.

The foundation of my existence collapsed. Even to this day almost two decades later, my children and I still feel the aftershock. Why? I asked. What could I have done differently?

For a long time after her suicide I wrestled with the question: What does God mean when a good person takes their life? I grew acutely aware of God's absence & the unfairness that runs through all of life like a fault line. Inside, I was tender and raw. Not long after Mary's death, a young woman appeared in my court. She testified that her husband hanged himself from a beam in the basement of their home. Instantly, her words unleashed a flash flood of emotion that drove me from the court-room, tears in my eyes.

Remorse and confusion led me to seek answers. I immersed myself in Carl Jung, began to track my dreams. Every morning I journaled on the computer -a form of free-association therapy. I strove to come to grips with what had happened.

Then, in the summer of 1995, visiting an aunt in the Laurentians, I wrote my first poem. And then another and another. It was as if a dam burst, releasing years of pent-up feelings painful childhood memories, unhealed adolescent wounds: all intermingled

with the sharp debris of bereavement , onto page after page of my notebooks. I wrote about my frustrations on the bench- the human face of law. Before long, I'd accumulated a sizable collection of poems.

My manuscript would have gathered dust in a drawer but for my daughter Mira, who one morning mentioned a poetry workshop by Susan Musgrave , the well-known Canadian poet, to be held at the Lake of Bays in the summer of 1996. Spurred by my children, I decided to go.

Susan generously agreed to read the manuscript. Imagine my surprise the next morning when I heard her say: " We've got to find you a publisher," and even offered to write an introduction. After that, events moved swiftly. Barry Callaghan, the distinguished publisher and poet, to whom Susan had referred me, was equally enthusiastic. My first book of poetry, *Silver Mercies*, came out in 1997. Mary's suicide was an axe breaking the frozen seas within me, and seven more collections, the latest in 2007, rapidly followed.

One pleasant surprise was the positive reaction of my colleagues on the bench. While judges and poets both work with words, for lawyers and judges they are primarily utilitarian, tools to build arguments and render judgments. For poets, words are windows for "intense seeing" as the poet Lorna Crozier put it.

I had worked almost exclusively with the left side of the brain, the seat of logic and common sense. Bounded by technical legal reasoning, knowledge of the law and the restraints of precedent, I had little room for literary imagination, intuition and emotion. While judges struggle to preserve the "human touch", the reality is they are in the unenviable business of judging others.

In my metamorphosis from judge to " poet-judge", I came to see more clearly that we are all on a common journey toward death and that all human judgments are at best one-sided and incomplete.

" There is a field/ beyond ideas / of right doing and wrong doing/ where the soul/ can lie down among/ wildflowers / and lack nothing....."

My wife's suicide gave me a chance to see life from the other side of the bench. In a sense, I became the judged, the person bearing the weight of guilt and shame. I learned that mercy be-

gins at home and to forgive oneself is the precondition of compassion for others. Poetry rekindled my commitment as a judge.

By permitting me to "see behind the shutters normally drawn over the human face," as Al Purdy wrote, poetry helped me to connect with others even in the bleak and impersonal Siberia of the courtroom. I began to appreciate more fully what Oliver Wendell Holmes, the eminent American jurist, said: "The life of the law is not logic but experience."

With the passage of time I stopped blaming God, Whom I'd come to believe was only a convenient label we stick onto the random evils that befall us. Gradually, I abandoned the death question "why?" and started to ask the life question "what now?" My children were the first to notice a change: I became mellower and more empathetic, they claimed. As a judge, I redoubled my efforts to balance mercy and justice- always a delicate task.

Chinks in our legal system stood out more starkly. I became increasingly disturbed by the exorbitant cost of litigation and the folly of families squandering the equity in their homes & precious life savings on self-defeating lawsuits. The reality of "pocket-book justice" reinforced my conviction that the law favours the rich.

Status, power, money  
like straw, feathers, dust  
are insubstantial things,

but if they all blow one way  
that's the way the law bends.

To avoid cynicism, the occupational hazard of judging, I constantly had to remind myself that people are greater and better than they sometimes appear in the distorted mirror of the courtroom.

The plight of others began to reach me deeply. I recall the case of a major bank that sought judgment on a debt against a woman with three small children whose husband had abandoned them after squandering the funds on drugs and gambling. The woman who co-signed the promissory note, lived in a dingy apartment and was struggling to eke out an existence for herself and the children on \$25,000 a year as a clerk in a department store with no support and no savings.

Judges are sworn to follow the law (not their private consciences I knew), but I also knew the law could sometimes be an ass. Though counsel for the bank presented a strong case I dismissed the lawsuit, citing "duress & coercion" in the co-signing of the note. Almost immediately counsel sprang to his feet. "But your Honour...." he began..., but I cut him off. "You can't squeeze blood from a stone," I barked, "if you don't like my decision, appeal." Alone in chambers afterwards, I began to wonder if I wasn't playing God, compensating for His/Her failure to save my wife from the Black Dog.

More and more, I sought ways to encourage litigants to settle.

One morning, a married couple appeared in court, each brandishing a long list of complaints against the other. Though they were seated only a short distance apart, their stiff posture and averted eyes gave no hint that they even acknowledged the other's presence. Detecting a residue of tenderness in their voices when they spoke of each other, I seized the opportunity to suggest they talk privately in a witness room to see if they could iron out their differences.

At 11am my court constable said: "I think they're talking." A half-hour later she returned. "Guess what? I heard them laughing."

At the noon break she entered my chambers, a broad smile on her face:

"You won't believe this, your Honour, but they're going out to lunch together." And when court reconvened at 2 pm, the lawyers rose to announce that the parties had amicably settled all their issues.

Now a judge's job is not a popularity contest. As one wise old jurist said: "With every decision you make a temporary friend and a permanent enemy." But that day I left the courthouse levitating on air, knowing I'd made a small contribution to the Administration of Justice.

One of the most gratifying moments of my years on the bench was a letter I got from a young man I'd sentenced to reformatory. He wrote me how his life had completely turned around, that he planned to get married soon and it was something I'd said to him in court that had made the difference. For days my feet barely touched the ground.

What had I done? Nothing extraordinary except step out of my role as judge for a moment and talk to him as a fellow human being;

...learning

how we are all linked together,  
how love can only be broken  
one link at a time.

Because poetry is timeless and universal, it also gave me the courage to speak my deepest yearnings and to venture forth toward those invisible angels who feed our hunger for justice.

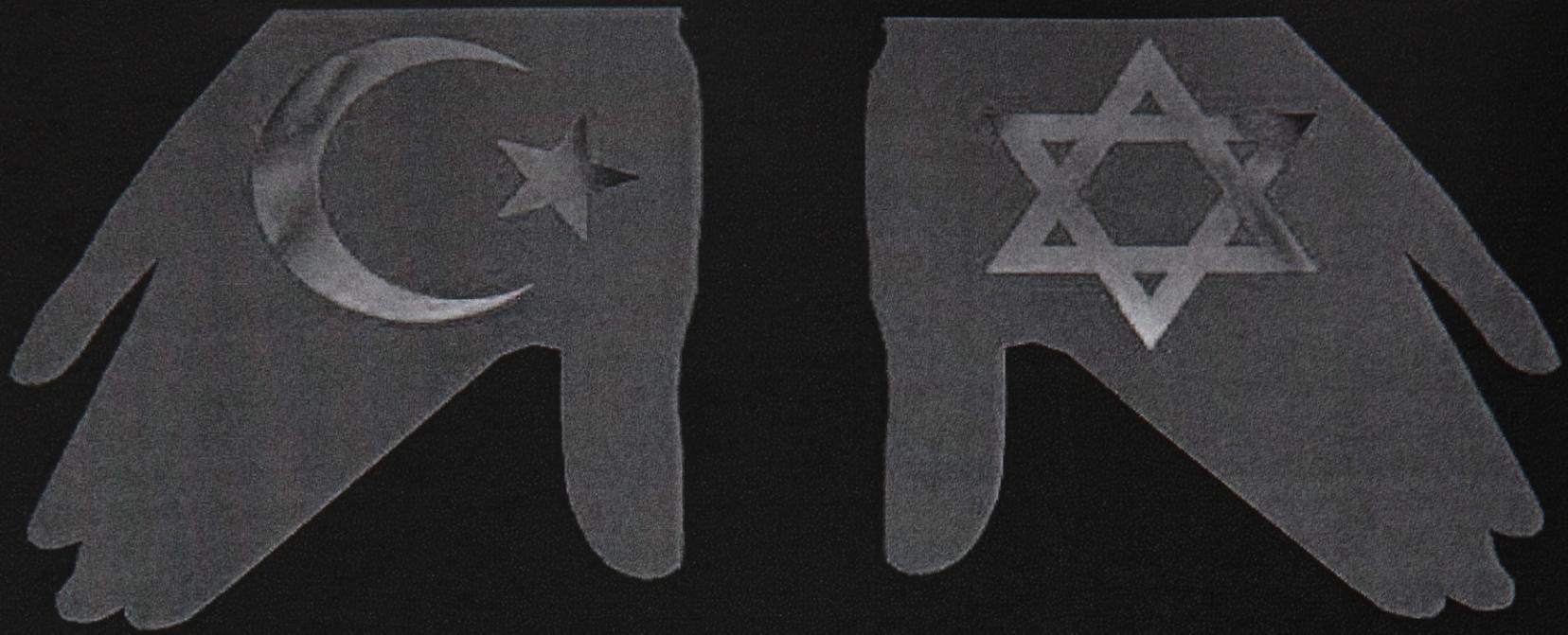
Bring the clear mirror,

let her see

the jaded eye,  
the unforgiving mouth,  
let her face break down in tears.

Give back her brown nakedness,  
her four, strong limbs,  
let her breathe freely,  
break softly into new fields.

Ancient Chinese wisdom says it best: poetry is like being alive twice. Poetry gave me a second chance. In a sense, poetry saved my life.



# RELIGIOUS Arbitration

A measure of legal  
multiculturalism

Tues February 26 2013

Reception: 5:00 PM - 6:00 PM, OCDH room 16

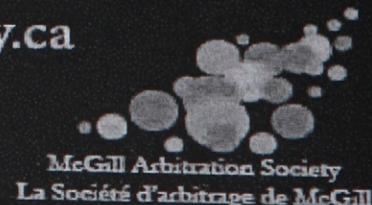
Panel: 6:30 PM - 8 PM, Moot Court

Faculty of Law, McGill University

Featuring  
Rabbi Michael Whitman,  
Prof. Ahmed Ibrahim, moderated by  
Prof. Natasha Bakht

Kosher and Halal food will be served at reception,  
please email indicating any dietary restrictions

RSVP at [mcgill@arbitrationsociety.ca](mailto:mcgill@arbitrationsociety.ca)  
[www.arbitrationsociety.ca](http://www.arbitrationsociety.ca)



McGill Arbitration Society  
La Société d'arbitrage de McGill

# HOW TO BOOK A CONSULT, GET YOUR CV REVIEWED AND MAKE THE MOST OUT OF YOUR CDO

After five months as CDO Coordinator, I'm finally starting to feel not so brand-new anymore. It's a pleasure getting to know those of you who come in to the CDO, volunteer to set up our various Careers Days (a deep and heartfelt thank you for that), and participate in our events.

Janvier est un mois très occupé au CDP, avec deux Journées carrières, le début de la Course aux Stages, d'autres processus de recrutement, ateliers, stages à la magistrature, dossiers de candidature (et la liste pourrait continuer), et février aura le même rythme. So, in the hopes of avoiding the games of e-mail-tag that I've been playing with many students, here are some useful things to know.

## How to Book a Consult:

Feedback from the CDO Advisory Board, and the number of e-mails in the placement.law@mcgill.ca inbox tell me there is confusion about how to book a consult. Follow these steps for optimal consult-booking success!

o Go to the CDO website to the Services tab and click Individual Counselling to see when you can book a consult and how. Note that between now and mid-March is a critically busy period at the CDO and there are more students than there are spots for consults, so there could be, approximately, a 2-3-week delay. (Sorry in advance but, unless it's an unforeseen emergency, consultations "tomorrow" are unlikely, so plan ahead!)

o Before you try booking a consult, do a little bit of homework. No, I don't mean your memo or factum (though you should probably do that, too). Consultations with Director Maryse Chouinard are for personalized advice, not general information gathering. In order for me to book a consult, I need to know why you are seeking a consult. If not, you'll just get an email-tag right back. You're it! Some of my common email-tag responses to students are:

- o Have you checked myFuture? Are you checking myFuture regularly?
- o Have you checked the \*insert organized recruitment process here\* tab on the CDO website?
- o Est-ce que vous avez lu la section à propos de votre question dans le guide de : développement professionnel/carrière en droit international/carrières académiques, etc?
- o After going through the above steps, here are some good examples of sorts of situations where Maryse can help: Are you seeking personalized advice on how to articulate a job search strategy based on your interests? Do you have a personal or academic situation that you need to discuss as it may affect your job search? A final note about obtaining answers to your questions: if you have a quick question, or need help navigating all of our resources, always feel free to come to the CDO and I will help direct you to where to find the right information. By the way, we never hide information. Tout ce que nous savons, nous le partageons sans délai avec vous sur notre site web, dans nos bulletins d'information, ou dans notre centre de documentation. So, if the dates in an organized recruitment section are from last year, it's because the law societies or our colleagues from other universities have not come up with the new ones yet. If there is no list of immigration law firms in upper Ethiopia anywhere in our resources, it's because it doesn't exist. But hey, if there is a demand, let us know! (Enough demand is what generated a brand-new Ottawa small firms list, which we will make available to students soon.)

## How to Get Your CV Reviewed

C'est très simple. All you need to do is to follow the guidelines on the CDO website under the Services tab and "Resume Review." For example, if you have a deadline,

you must tell us (and send us the job posting or myFuture reference number) in order for us to prioritize CVs accordingly. Otherwise, we provide "General Review – no deadline." From now until the end of March, expect approximately a five-week delay for this option and plan accordingly. If five weeks isn't going to cut it, I invite you to use the CV Mini-Guide on the CDO website under the Career Resources tab and "CVs and Interviews." This is a fantastic document, built from student feedback and CV Clinic experience, which I myself use as a reference when looking at your CVs. Once again, if you have a quick question in order to finalize your documents, please drop by!

## Conclusion: How to Make the Most Out of Your CDO

McGill students are interested in such a vast number of markets and types of legal careers. Our alumni end up all over the country and the world! I'm constantly impressed by McGill Law students; it's a truly inspiring work environment for me to be in. Due to all these interesting opportunities and motivated students, the CDO must work under high amounts of pressure year round, especially during the school year. To help you better, we need to make efficiency a priority. So, want to know the trick to get more out of your CDO? Read attentively the material that is available to you (including Mme Jobs!) It will help you and the CDO work much better, together.

Maryse and I look forward to seeing or meeting a lot of you at our upcoming events, the Small and Medium Firms & Solo Practitioners Cocktail tomorrow, February 6th, as well as the Alternative Careers Cocktail on February 13th – there will be fantastic cheese, among other things. All years welcome!

(As always, please RSVP on myFuture so I can order enough refreshments!)

MONTANO  
CABEZAS

Dear Legal Methodology class:  
Thank you for inviting me to give a presentation on the 31st of January. I enjoyed the experience and was very impressed by the quality of the questions I received: in short, your year is cooler than mine.

I wanted to confirm that the MLJ application deadline is indeed 1 March 2013. The Journal was unfortunately forced to deviate from the practice of putting the due date after reading week because the break happens unusually late in the semester. Please accept our apologies for any confusion surrounding this issue.

## MLJ MESSAGE

I would encourage you to apply. You will benefit from an opportunity to work on your legal writing and will be forced to develop strong research skills. Stop by the Journal offices in 306 or 309 if you need a harder sell.

Sincerely,  
Montano "Rex Citatus" Cabezas

STUDENT  
AFFAIRS  
OFFICE

To Graduating Students: For information on the convocation ceremony go to: <http://www.mcgill.ca/convocations/>

We ask that you apply to graduate on Minerva as soon as possible if you intend to complete the program requirements at the end of the Winter 2013 term.

GRADUATION: <http://www.mcgill.ca/law-studies/policies/graduation/>

Undergraduate students and non-thesis LL.M. students who expect to graduate at the end of a term must do the following:

Apply for graduation on Minerva. If you are away on exchange, please contact [info.law@mcgill.ca](mailto:info.law@mcgill.ca) directly.

Review the Graduation and diploma information on the McGill Student Information site for information regarding the convocation ceremony, how to make sure your name is spelled the way you want on the diploma, when to pick up your diploma, etc.

## MESSAGE FROM THE SAO

Review your academic record in order to ensure you have met all the degree requirements.

Complete the CDO Graduation Survey available online on the CDO homepage.

Deadline to apply to graduate on Minerva for all Undergraduate students and Graduate students in all non-thesis programs (certificates, master's non-thesis):

- Students who intend to graduate at the end of the Winter 2013 term (courses completed by April 2013 for June 2013 convocation) must apply on Minerva by March 4, 2013.
- Students who intend to graduate at the end of the Summer 2013 term (courses completed by August 2013 for October 2013 convocation) must apply on Minerva by April 3, 2013.
- Students who intend to graduate at the end of the Fall 2013 term (courses completed by December 2013, degrees granted in February 2014, attend June 2012 convocation) must apply on Minerva by December 2, 2013.



## LES GRANDS AVOCATS DU MONDE SONT AVANT TOUT DE GRANDS CITOYENS DU MONDE.

À notre cabinet, vous travaillerez avec des avocats ayant conclu des transactions de plusieurs milliards de dollars, d'autres ayant représenté des premiers ministres et d'autres encore ayant plaidé devant la Cour suprême des causes qui ont fait jurisprudence. Qu'ils courent des marathons, vivent de grandes aventures ou se dévouent pour des causes humanitaires, vous verrez que les membres de notre équipe comptent plusieurs êtres d'exception. Chaque année, dans le cadre de nos programmes d'emplois d'été et de stages, nous cherchons à identifier des étudiants qui, tout comme nous, conjuguent leur coup de coeur pour le droit à un profond désir de se surpasser.

Nous ne sommes pas seulement à la recherche d'avocats exceptionnels, mais surtout d'êtres d'exception

Pour consulter les fiches biographiques de nos avocats et voir si BLG répond à vos aspirations, visitez le site [blg.com/etudiants](http://blg.com/etudiants).

Calgary | Montréal | Ottawa  
Toronto | Vancouver | Région de Waterloo  
Avocats | Agents de brevets et de marques de commerce  
Borden Ladner Gervais S.E.N.C.R.L. S.R.L.  
est une société à responsabilité limitée de l'Ontario.  
[blg.com](http://blg.com)

**BLG**  
Borden Ladner Gervais  
*D'abord le service*



# BLACK HISTORY MONTH 2013

## TIME TO CELEBRATE BLACKNESS

**WHEN:** Every February, BLSAM, along with our allies around the world, celebrates Black History Month to honor the struggles and triumphs of members of the African diaspora over the most devastating obstacles of racism and prejudice. In commemoration, the Black Law Students Association of McGill ('BLSAM') will be hosting a number of events throughout the month of February. As we celebrate how far we have come, we also use this month to highlight the long road still ahead.

**ISSUE:** Marginalization is a fact of life for us in Canada, as well as at the McGill Law Faculty. Since law students may not be taught about Black issues in their core courses, BLSAM and other student groups such as RadLaw and the Critical Race Theory class have worked patiently and constructively to bring attention to these gaps. While

our efforts have been fruitful, we are only students. Institutional responsibility is crucial as we move forward, particularly in the areas of hiring and curriculum reform at McGill.

**WHAT:** To bring attention to some of these issues, BLSAM will have artwork featuring notable black jurists, professors, and historical figures throughout the Faculty of Law for the entire month. Stop by the bulletin boards and learn about our history. The grand finale event will be a film screening followed by a discussion on February 19th at 5:30 pm. There will be good food, good people, and good discussion. We hope that you join us and celebrate our history and assist us in our struggle to bring Black issues to the forefront of our faculty, legal community, and Canadian society as a whole.

### OVERHEARD AT THE FAC

3L, during a discussion on the history of corporations: [...] a monopoly to deal in slaves is a really good deal.

Other 3L: Did I just hear that right?

2L: Does having Prof. Foster make us foster children?

2L: We need to promise that, even after we graduate and become lawyers, we will always have group hugs.

Prof. Dedek, during 1L midterm review session : [...] Carbolic Smoke ... [hesitates] Ball... Students : [Inquisitive laughter]

Prof. Dedek: Please allow me a remark. It is important during your exams to correctly write the names of cases. I mean... Carbolic Car Bomb.

Prof. Bachand, JICP, sur l'affaire Carnival Cruise: C'est l'histoire de Mme Shute, qui fait une chute... Je ne pouvais pas m'empêcher de faire cette blague. C'est le Doyen qui m'a fait remarquer ce jeu de mots.

Prof. Glenn: You can tell your friends: today is the day we talked about Foucault in CVL Procedure.

Students, at 5:25PM on Coffeehouse Thursday, as Prof. Dedek finishes lecture: [Silence and immobility]

Prof. Dedek: O.K....

Students: [Continued silence and immobility]

Prof. Dedek: Well! ... I wonder if you guys are just so bored that you don't even notice when it's over! Go out! Drink!

1L: You may spend money on a boob job to save your marriage and that is clearly a bad use of your money; but does that constitute undue influence?

Me. Raizenne: What language are you talking?

Shortt: Tax?

Me. Raizenne: No, not quite.

Me. Raizenne: [...] and what avoidance provision would you use here?

Student: GAAR?

Me. Raizenne: GAAR is for sissies.

Prof. Adams: Life is a process of slowly losing people, until one day they lose you.

Me. Lamed: 40 years ago, Me. [REDACTED] made up cases in his moot. If you can get away with it, well, what can I tell you?

Prof. Lametti: "X to A in fee simple so long as the CN Tower stands"...This is a Toronto construction example; in Montreal, the concrete would weaken and fall.

Prof. Adams, in a discussion about the use of the word "sodomy": I'm gonna tell you a little anecdote.

Students: [Nervous laughter.]

Prof. Adams: It's a LAW anecdote, come on.

Prof. Fox-Decent: You must know the dissents. They're like Freddy Krueger; they can always come back. They lurk in the shadows and jump out with no notice.

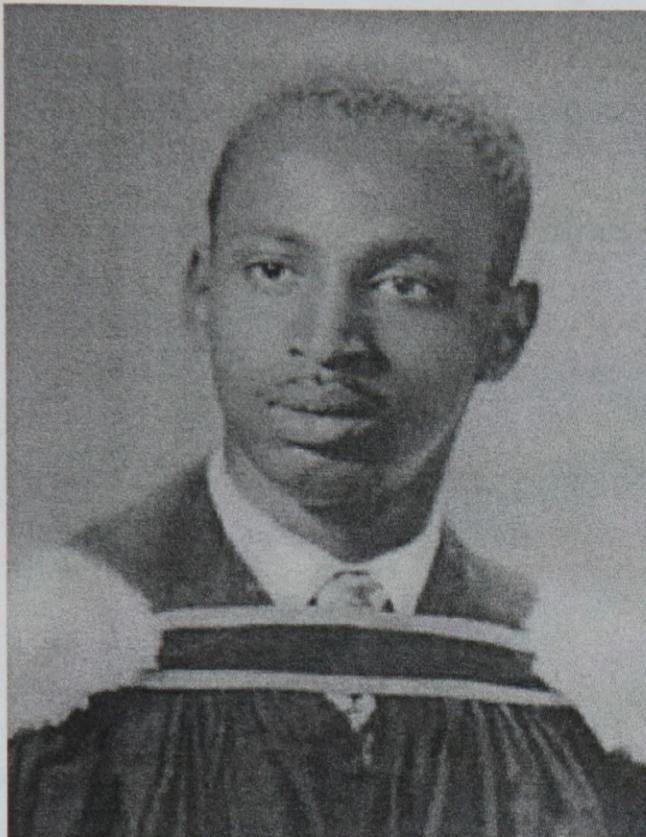
1L, on going to Quicklaw, Westlaw, and Azimut presentations: It's like eating your vegetables. You know it is good for you, but you still don't want to do it.

## BLACK HISTORY MONTH 2013 – Black and Law

*Check out our art displays around the Faculty all February!*

**FEBRUARY 19<sup>th</sup> 2013 – Film Screening, Discussion, Dinner**

LAW STUDENT



JUDGE



**Frederick Phillips, BCL '56**

**First black person to graduate from McGill University, Faculty of Law. He was also the first Black lawyer in Quebec.**

**Judge Juanita Westmoreland**

**- Traoré.**

**First Quebec Black Judge and first Black Dean of a Law School**

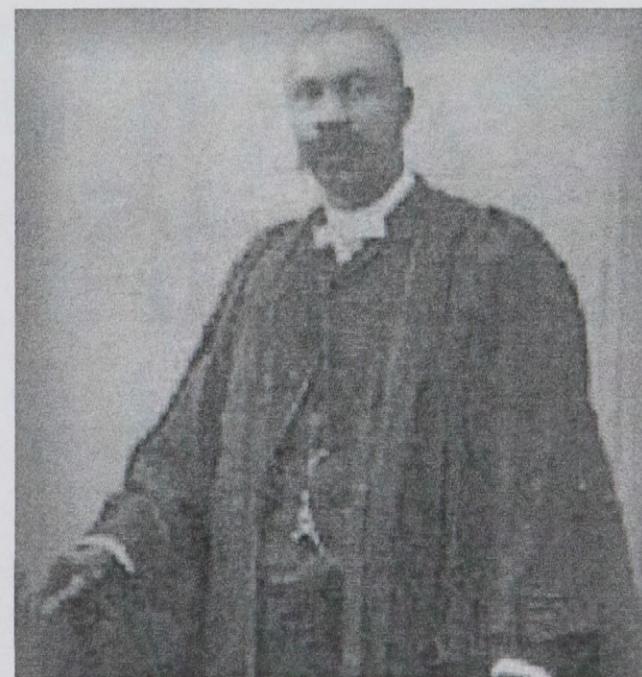
PROFESSOR



**Professor Adelle Blackett,  
BCL & LLB 1994**

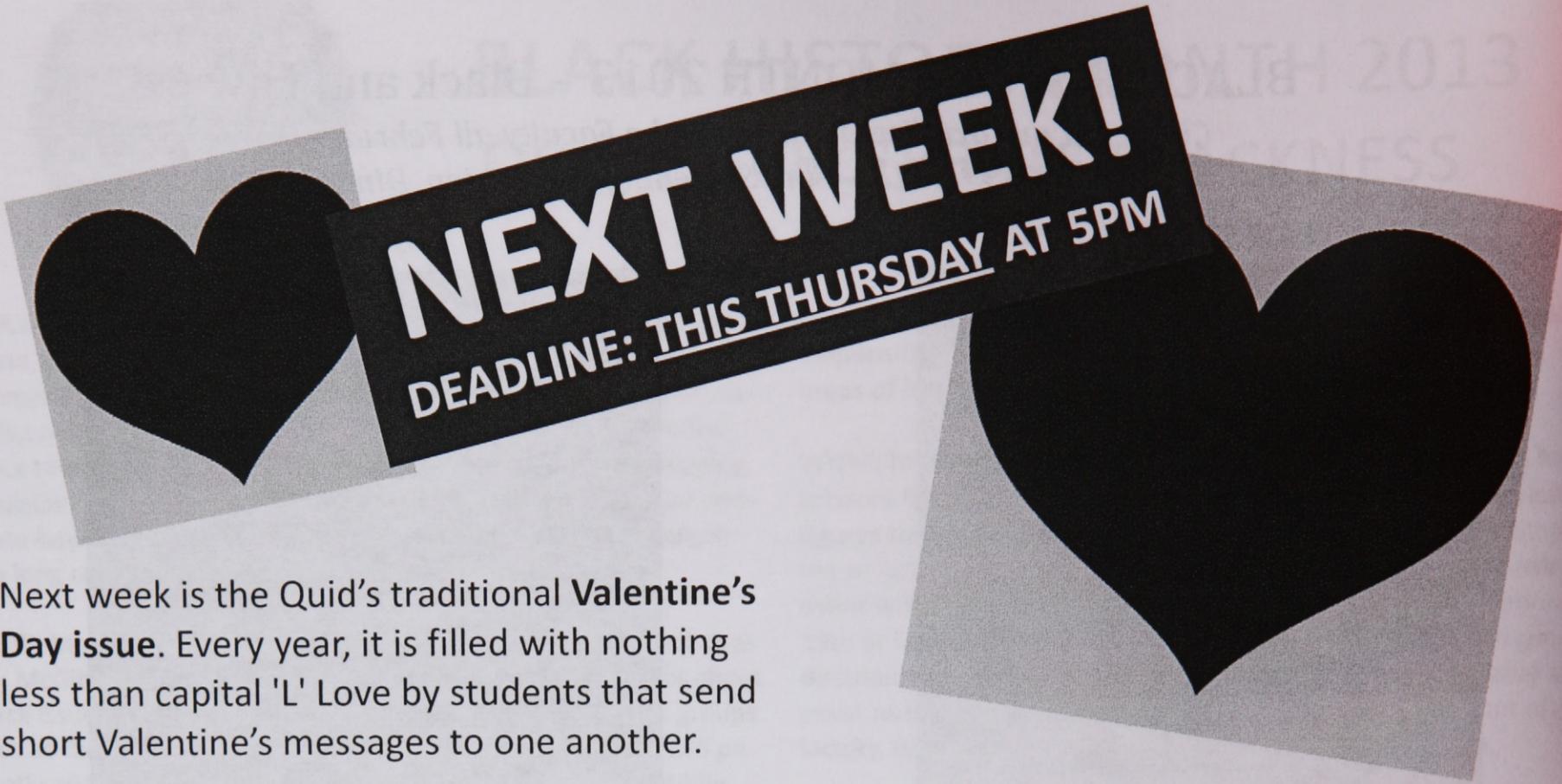
**She is McGill University's first Black Professor of Law.**

LAWYER



**Mr Delos Davis**

**He was the first Canadian Black Lawyer. He was first allowed to practice as a solicitor in 1885, and finally appointed as a King's Counsel in 1910.**



**NEXT WEEK!**  
**DEADLINE: THIS THURSDAY AT 5PM**

Next week is the Quid's traditional **Valentine's Day issue**. Every year, it is filled with nothing less than capital 'L' Love by students that send short Valentine's messages to one another.

This is what you have to do: **send us your valentines at [quid.law@mcgill.ca](mailto:quid.law@mcgill.ca), subject line "Valentines". Grazie mille! DEADLINE: Thursday, February 7th at 5pm!**

Vous pouvez annoncer votre amour à un collègue de classe ou simplement dire salut à un ami important dans votre vie. Vous pouvez demander votre copain/copine de longue date en mariage, ou alors faire savoir à votre *crush* - de façon anonyme - qu'elle ou il a un admirateur secret. Les possibilités sont infinies!

Send as many as you like. Love knows no bounds!



Vous voulez sans doute participer maintenant. Voici plus de détails techniques pour vous mettre sur la bonne piste:

For the sender and intended recipient(s), indicate **student year** and **initials**.

*Example : From MAP (2L) to TGVL (2L) : Mandy is randy for your layout skills, baby!*

If you are unsure of the year, you may use question marks. To remain anonymous (on either or both sides), simply use question marks.

*Example:*

*From CF (3L) to ?? (2L): You are the Nahum to my Gelber.*

For LLM students write LLM, and for exchange students, simply use EXC. If you aren't sure, use question marks. **For professors, use their names - but stay appropriate!**

*Example:*

*From ?? to JG (EXC): Scotland is not that amazing, but thanks for playing. Love you like you love haggis!*

Keep it classy, or at least try to... It's a fine line, so use your judgment and please don't make the Quid Editorial Team agonize over it. See first example above: that one is right on the line...

# THE BENEFITS ARE HARD TO DISPUTE

Our financial package<sup>1</sup> for law students offers a wide range of advantages you have to see to believe. Sign up today.

Drop in and see for yourself:

1140 Sherbrooke West, 514-281-9621  
955 de Maisonneuve West, 514-281-9620

[nbc.ca/lawyersstudents](http://nbc.ca/lawyersstudents)



<sup>1</sup>This financial package is offered to full-time university students in accounting, accountancy, law or notarial law and to students at HEC Montréal who are Canadian citizens or permanent residents of Canada. Students must provide proof of their full-time student status.

Financial package is offered to full-time university students in accounting, accountancy, law or notarial law and to students at HEC Montréal who are Canadian citizens or permanent residents of Canada. Students must provide proof of their full-time student status. The financial package is offered to full-time university students in accounting, accountancy, law or notarial law and to students at HEC Montréal who are Canadian citizens or permanent residents of Canada. Students must provide proof of their full-time student status. The financial package is offered to full-time university students in accounting, accountancy, law or notarial law and to students at HEC Montréal who are Canadian citizens or permanent residents of Canada. Students must provide proof of their full-time student status.

# World-Class, Worldwide

Aside from being part of a truly international legal firm, you'll benefit from practical, hands-on experience and exposure to various areas of practice.

